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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,959	09/26/2000	Scott C. Harris	TV-Browsing/SCH	5133
23844	7590	11/17/2005	EXAMINER	
SCOTT C HARRIS P O BOX 927649 SAN DIEGO, CA 92192			BUI, KIEU OANH T	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/669,959	Applicant(s) HARRIS, SCOTT C.	
	Examiner KIEU-OANH T. BUI	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4,6-13 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4,6-13 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments & Remarks

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. The status of the previous is considered as 2nd non-final office action, as the examiner allows the applicants have a fair chance with extra times to respond to the revised office action.

2. Claims **1, 5, and claims 14-16** were canceled in the amendment dated 10/10/05. Pending claims are only **claims 2-4, 6-13, and 21** for reconsideration. Please note that claims **17-20 are withdrawn from further consideration** by the examiner due to election/restriction requirements.

3. Applicant's arguments with respect to claims **2-4, 6-13, and 21** have been considered but are moot in view of the new ground(s) of a revised rejection with supportive arguments.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4, 6-13, and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Kamada (U.S. Patent No. 6,622,306 B1) in view of Shoff et al. (US Patent 6,240,555 B1).

Regarding claims 2 and 21, Kamada discloses “a system, comprising: a television remote which has first buttons controlling at least a plurality of functions on a controlled television which is separate from said television remote, said television remote mounted in a housing, which housing is totally separate from the television being controlled by the remote, and said television remote also having a command which accesses information from a hyperlink that is associated with a program that is being currently displayed on the television”, i.e., a user can use a remote controller as illustrated in Figure 2 with a plurality of buttons for different functions, as the user selects the URL 49 button, for accessing the Internet or HTML document using the remote controller for controlling functions on the separate television set, as clearly shown in Figure 9, as the user can access to a hyperlink displaying on the television screen, whereas the remote controller is separated from the television (see col. 1/line 55 to col. 2/line 58 for an overview; col. 4/lines 44-63 for navigator feature; col. 5/line 40 to col. 7/line 4 for details on HTML documents and hyperlink links; and col. 8/lines 32-44 for URL access; and col. 9/lines 5-45 for hotspots). Kamada further shows “wherein said remote communicates with a separate

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computer, to display said information from said hyperlink on the separate computer”, i.e., the remote controller communicates with an Internet unit regarding as a separate computer for displaying the hyperlink on the separate computer using the TV display; furthermore, internet module can be incorporated into the TV system (Figs. 3 & 5 & 9, and col. 3/line 65 to col. 4/line 23 & col. 10/lines 9-20).

Kamada does not clearly address the information being accessed from a hyperlink that is associated with a “television program” that is being currently displayed on the television; however, the technique of having the television program being displayed with a hyperlink for the user to access for further information is well known in the art. In fact, Shoff discloses an exact technique of displaying television/video program content and supplemental content using hyperlinks for accessing that further supplemental content from the television screen (Shoff, Figs. 1 & 3, and col. 3/lines 15-38 & col. 5/lines 23-60 for hyperlinks concept). In addition, Shoff further teaches the amended feature “where said display of said separate computer is totally separate from the display of the television” (as shown in Fig. 2, the television display system 24 is totally separated from a computer system of Fig. 4 with the communication network regarding as means for communicating to each other, as clearly shown in Figs. 2 and 4, users can use television set with a set top box and/or a computer system with a monitor for accessing to head end media server via network 1 and to ISP Host for Internet access via network 2 (refer to col. 4/lines 22-34 & col. 7/lines 9-25)). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kamada’s system with a known feature as using a hyperlink on the conventional television broadcast content and using a communication network for providing users a flexibility in accessing to the broadcast service

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provider and/or to the Internet service provider with the use of the television system and the computer system in order to access to broadcast media server (i.e., for VOD service or PPV service) and to interactive sources for supplemental information (i.e., hyperlink of additional information to web pages) as disclosed by Shoff.

As for claim 3, in further view of claim 2, Kamada discloses “wherein said television remote transmits a command that causes said information to be displayed at a next startup of a process on said separate computer”, i.e., as the user sends a command by selecting the URL button, the information is retrieving and displaying to the user (col. 7/line 40 to col. 8/line 44 for selecting menu including accessing to HTML documents using an URL button).

As for claim 4, in further view of claim 2, Kamada further shows “wherein said information is added to a list of internet favorites on said separate computer”, i.e., a transfer list is registered and recorded as hotspots of homepages or internet favorites is stored on the computer for later accessing (col. 2/lines 10-58 & col. 4/lines 44-63 & col. 6/lines 40-64).

(Claim 5 was canceled).

As for claim 6, in view of claim 2, Kamada discloses “wherein said requested information displays said information from said hyperlink on a personal computer”, i.e., the remote controller communicates with an Internet unit regarding as a separate computer for displaying the hyperlink on the separate computer using the TV display; furthermore, internet module can be incorporated into the TV system (Figs. 3 & 5 & 9, and col. 3/line 65 to col. 4/line 23 & col. 10/lines 9-20).

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As for claim 7, in view of claim 2, Kamada discloses “wherein said command that accesses information causes an email to be sent to said user” (Fig. 4/item 3 for e-mail service delivered to the user, and col. 8/lines 32-44).

As for claim 8, in view of claim 2, Kamada shows “wherein said hyperlink includes an indication of a referring source” (Fig. 9 for the source is from cnn.com).

As for claim 9, in view of claim 2, Kamada inherently suggests “wherein said command that accesses information comprises making a purchase of an item that is displayed on the television”, i.e., a guide such as for homepage of a hotel or searching for hotels referring to selecting or searching on booking or purchasing hotels for travel (col. 7/line 52 to col. 8/line 11).

As for claim 10, in view of claim 2, Kamada discloses “wherein said remote includes a separate receiver which receives hyperlinks that are associated with a program that is currently being displayed on the television”, i.e. a separate set top box or an external type internet box receives hyperlinks that are associated with a program that is currently displaying on the television (col. 3/line 65–col. 4/line 63).

Conclusion

6. The prior art of record and not relied upon is considered pertinent to applicant’s disclosure.

Born et al. (US. Pat. No.5,949,679) disclose a remote computer system and communication network.

Rhoads (US. Pat. No.6,411,725 B1) disclose the watermark link video objects.

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Bonomi et al. (US. Pat. No. 6,769,127 B1) disclose a method and system for delivering media services and application over networks.

Scimone et al. (US. Pat. No. 6,647,410 B1) disclose a method, apparatus and program for delivery and display of information from dynamic and static data sources.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to PTO New Central Fax number:

571) 273-8300, (for Technology Center 2600 only)

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*Hand deliveries must be made to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'K. Bui', with a long horizontal flourish extending to the right.

Kieu-Oanh Bui
Primary Examiner
Art Unit 2611

KB
Nov.9, 2005